

United States District Court  
for  
the District of Nevada

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**REQUEST FOR MODIFICATION  
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER**  
*Probation Form 49 (Waiver of Hearing) is Attached*  
**March 20, 2020**

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Name of Offender: **Alejandro Mendoza**

Case Number: **2:15CR00116**

Name of Sentencing Judicial Officer: **Honorable Kent J. Dawson**

Date of Original Sentence: **December 6, 2017**

Original Offense: **Felon in Possession of a Firearm.**

Original Sentence: **57 Months prison, followed by 36 Months TSR.**

Date Supervision Commenced: **November 28, 2018**

Name of Assigned Judicial Officer: **Honorable Kent J. Dawson**

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**PETITIONING THE COURT**

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☒ To modify the conditions of supervision as follows:

1. **Home Confinement with Location Monitoring** – You will be monitored by the form of location monitoring technology indicated below for a period of 120 days, and you must follow the rules and regulations of the location monitoring program. You must pay the costs of the program.

☒ Location monitoring technology at the discretion of the probation officer.

This form of location monitoring technology will be used to monitor the following restriction on your movement in the community:

☒ You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the probation officer (**Home Detention**).

**RE: Alejandro Mendoza**

Prob12B  
D/NV Form  
Rev. June 2014

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**CAUSE**

On November 27, 2018, Mendoza appeared before Your Honor following his plea of guilty to committing the offense of Felon in Possession of a Firearm. Mendoza was sentenced to a term of time served followed by 3 years of supervised release. Mendoza commenced supervision on November 28, 2018, in the District of Nevada.

A violation report, dated October 29, 2019, was submitted to Your Honor advising that Mendoza had violated his supervised release conditions by failing to show for required drug/alcohol testing on eleven (11) occasions, and for admitting to the use of methamphetamine. In response to the violations, Mendoza was counseled on the importance of complying with all conditions of supervised release and was referred to substance abuse treatment.

October 31, 2019, Mendoza again failed to show for a required drug/alcohol test. On November 1, 2019, Mendoza was contacted by the probation office and instructed to report this date before 12:00 p.m. Mendoza did not report to the probation office until approximately 4:45 p.m. and was unable to submit a drug/alcohol test. Mendoza was then instructed to report to Westcare to submit to a drug/alcohol test. Mendoza did comply with this instruction and tested negative for all substances.

Due to his continued non compliance with drug testing, on November 12, 2020, a violation report was sent to Your Honor respectfully requesting his conditions of supervision be modified to include 90 days of home confinement with location monitoring. Your Honor concurred with this request. Mendoza successfully completed his 90-day term of home confinement on February 13, 2020.

On March 2, 2020, Mendoza was arrested by Las Vegas Metropolitan Police Department for two counts of possession of a controlled substance, heroin and methamphetamine, operating an unregistered vehicle, and driving without a driver's license. Additionally, Mendoza was found in possession of 27.5 GGW of marijuana. Officers conducted a record check which revealed that Mendoza had two outstanding traffic warrants out of Clark County Justice Court issued on November 26, 2019. His next Court date on the above matter is April 9, 2020.

On March 9, 2020, Mendoza reported to the undersigned officer after he was released from custody. Mendoza denied any illegal drug use during the above-mentioned arrest, however he admitted he was aware that the illegal drugs were in the vehicle. To impress upon him the severity of the violation, it is respectfully requested that his conditions of supervision be modified to include 120 days of home confinement with location monitoring as a controlling strategy.

**RE: Alejandro Mendoza**

Prob12B  
D/NV Form  
Rev. June 2014

Respectfully submitted,



Digitally signed by  
Brianna M King  
Date: 2020.03.23  
07:25:47 -07'00'

Brianna King  
United States Probation Officer

Approved:



2020.03.23  
07:13:59 -07'00'

Joy Gabonia  
Supervisory United States Probation Officer

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***THE COURT ORDERS***

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- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above
- ☐ Other (please include Judicial Officer instructions below):

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Signature of Judicial Officer

3/24/2020

Date

## UNITED STATES DISTRICT COURT

### District of Nevada

#### Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

**Home Confinement with Location Monitoring** – You will be monitored by the form of location monitoring technology indicated below for a period of 120 days, and you must follow the rules and regulations of the location monitoring program. You must pay the costs of the program.

☒ Location monitoring technology at the discretion of the probation officer.

This form of location monitoring technology will be used to monitor the following restriction on your movement in the community (choose one):

☒ You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the probation officer (**Home Detention**).

Witness Brianna King  
U.S. Probation Officer

Digitally signed by  
Brianna M King  
Date: 2020.03.18  
12:48:24 -07'00'

Signed [Signature]  
Probationer or Supervised Releasee

3/19/20  
Date